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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,280	04/24/2001	John Louis Janosik JR.	A-008	6028
21253	7590	06/30/2004	EXAMINER	
CHARLES G. CALL 68 HORSE POND ROAD WEST YARMOUTH, MA 02673-2516			NAJJAR, SALEH	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/841,280

**Applicant(s)**

JANOSIK ET AL.

**Examiner**

Saleh Najjar

**Art Unit**

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. This action is responsive to the application filed April 24, 2001. Claims 1-18 are pending. Claims 1-18 represent a method and system for extracting personalization information from web activity.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant, U.S. Patent No. 6,286,046.

Bryant teaches the invention substantially as claimed including a method and system for monitoring web-browsing activities (see abstract).

As to claim 1, Bryant teaches a method of gathering and storing a database containing selected content extracted from inbound Internet messages sent to a server from a client via the Internet, and from outbound Internet messages sent from said server to a client, said method comprising the steps of:

providing a monitor interposed in the communications pathway between said server and said client and utilizing said monitor to perform the steps of (see fig. 2; col. 2, line 55, Bryant discloses that a monitor 40 is provided interposed between the client and server for intercepting messages):

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receiving each of said inbound messages from a client and forwarding said inbound messages to said server (see col. 4, lines 50-60, Bryant discloses that the monitor forwards the communication sent from the client to the server),

extracting a first selected set of data contained in predetermined ones of said inbound messages and storing said first set of data in a database, receiving each of said outbound messages from said server and forwarding each such outbound message to a client, extracting a second selected set of data contained in predetermined ones of said outbound messages and storing said second set of data in said database (see col. 5, lines 1-15, Bryant discloses that data communicated in the messages sent to from server to client are intercepted parsed analyzed and gathered and then forwarded),

whereby said database is populated with information, which describes the past use of said server (see col. 5, line 3, Bryant discloses that a file is populated with gathered information).

Bryant fails to teach the limitation of a gateway. Bryant does teach that the monitor 40 may run on a machine interposed between the server and client and that the monitor acts as a HTTP request/response forwarder that masquerades as the server and client (see col. 3, lines 55-60; col. 4, lines 55-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bryant by specifying the monitor 40 as the gateway since the same functionality of forwarding HTTP request/response messages between the client server is achieved.

As to claim 2, Bryant teaches the method set forth in claim 1 wherein said database is a relational database system which stores said first and second selected sets of data in addressable storage locations defined by a database schema (see col. 5, lines 1-10, Bryant discloses that a file is populated with gathered information).

As to claim 3, Bryant teaches the method set forth in claim 1 wherein said step of receiving and forwarding each of said inbound messages is performed before or concurrently with said step of extracting data contained in predetermined ones of said inbound messages (see col. 5-7).

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As to claim 4, Bryant teaches the method set forth in claim 3 wherein said step of receiving and forwarding each of said outbound messages is performed before or concurrently with said step of extracting data contained in predetermined ones of said outbound messages (see col. 5, lines 1-25).

As to claim 5, Bryant teaches the method set forth in claim 1 further including the step of accepting configuration data which identifies said first and said second sets of data (see col. 5, line 1).

As to claim 6, Bryant teaches the method set forth in claim 2 further including the step of accepting configuration data which identifies said first and said second sets of data and corresponding addressable storage locations defined by said database schema for storing said first and said second sets of data (see col. 5-7).

As to claim 7, Bryant teaches the method set forth in claim 1 wherein said step of receiving each of said inbound messages from a client and forwarding said inbound messages to said server includes the step forwarding selected ones of said inbound messages to a second server, and wherein the step of receiving outbound messages from said server includes the step of receiving outbound messages from said second server (see col. 8, lines 55-65).

As to claim 8, Bryant teaches the method set forth in claim 1 wherein said step of receiving each of said outbound messages from said server and forwarding each such outbound message to a client includes the step of inserting client identification data into said outbound message before said outbound message is forwarded to said client (see col. 4, Bryant discloses that SSL is used for communication).

As to claim 9, Bryant teaches the method set forth in claim 8 further including the step of accepting cookie configuration data from a user, and wherein said step of inserting client information into said outgoing method is performed only on selected messages identified by said cookie configuration data (see col. 5, lines 1-10).

Claims 10-18 do not teach or define any new limitations above claims 1-9 and therefore are rejected for similar reasons.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Saleh Najjar', with a stylized, cursive script.

Saleh Najjar

Primary Examiner / Art Unit 2157